

|   |                |                      |   |                            |  |   |                            |         |                         |                  |
|---|----------------|----------------------|---|----------------------------|--|---|----------------------------|---------|-------------------------|------------------|
| <b>EPA</b><br>United States Environmental Protection Agency<br>Washington, DC 20460<br><b>Work Assignment</b>   |                |                      |   |                            |  | Work Assignment Number<br>ERG-1-1   |                            |         |                         |                  |
|   |                |                      |   |                            |  | <input type="checkbox"/> Other <input type="checkbox"/> Amendment Number: |                            |         |                         |                  |
| Contract Number<br>EP-W-15-006  |                |                      | Contract Period   05/01/2015   To   04/30/2018<br>Base                      Option Period Number      1 |                            |  | Title of Work Assignment/SF Site Name<br>National CAA Investigations Su   |                            |         |                         |                  |
| Contractor<br>EASTERN RESEARCH GROUP, INC.  |                |                      |   |                            | Specify Section and paragraph of Contract SOW<br>See SOW |   |                            |         |                         |                  |
| Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out<br><input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding<br><input type="checkbox"/> Work Plan Approval |                |                      |   |                            |  | Period of Performance<br><br>From   05/01/2016   To   04/30/2018          |                            |         |                         |                  |
| Comments:<br>The purpose of this work assignment is to support OCE in case support, investigations, inspections, and other work under the Clean Air Act.  |                |                      |   |                            |  |   |                            |         |                         |                  |
| <input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund  |                |                      |   |                            |  |   |                            |         |                         |                  |
| SFO <input type="checkbox"/> Note: To report additional accounting and appropriations date use EPA Form 1900-69A.<br>(Max 2)  |                |                      |   |                            |  |   |                            |         |                         |                  |
| Line  | DCN<br>(Max 6) | Budget/FY<br>(Max 4) | Appropriation<br>Code (Max 6)   | Budget Org/Code<br>(Max 7) | Program Element<br>(Max 9)                               | Object Class<br>(Max 4)   | Amount (Dollars)           | (Cents) | Site/Project<br>(Max 8) | Cost<br>Org/Code |
| 1   |                |                      |   |                            |  |   |                            |         |                         |                  |
| 2   |                |                      |   |                            |  |   |                            |         |                         |                  |
| 3   |                |                      |   |                            |  |   |                            |         |                         |                  |
| 4   |                |                      |   |                            |  |   |                            |         |                         |                  |
| 5   |                |                      |   |                            |  |   |                            |         |                         |                  |
| Authorized Work Assignment Ceiling  |                |                      |   |                            |  |   |                            |         |                         |                  |
| Contract Period:  |                | Cost/Fee:            |   |                            | LOE: 0   |   |                            |         |                         |                  |
| 05/01/2015 To 04/30/2018  |                |                      |   |                            |  |   |                            |         |                         |                  |
| This Action:  |                |                      |   |                            | 20,000   |   |                            |         |                         |                  |
|   |                |                      |   |                            |  |   |                            |         |                         |                  |
| Total:  |                |                      |   |                            | 20,000   |   |                            |         |                         |                  |
| Work Plan / Cost Estimate Approvals   |                |                      |   |                            |  |   |                            |         |                         |                  |
| Contractor WP Dated:  |                |                      |   | Cost/Fee                   |  |   | LOE:                       |         |                         |                  |
|   |                |                      |   |                            |  |   |                            |         |                         |                  |
| Cumulative Approved:  |                |                      |   | Cost/Fee                   |  |   | LOE:                       |         |                         |                  |
|   |                |                      |   |                            |  |   |                            |         |                         |                  |
| Work Assignment Manager Name   Sounjay Gairola  |                |                      |   |                            |  |   | Branch/Mail Code:          |         |                         |                  |
| _____<br>(Signature)                      (Date)  |                |                      |   |                            |  |   | Phone Number: 202-564-4003 |         |                         |                  |
|   |                |                      |   |                            |  |   | FAX Number:                |         |                         |                  |
| Project Officer Name   Rose Green   |                |                      |   |                            |  |   | Branch/Mail Code:          |         |                         |                  |
| _____<br>(Signature)                      (Date)  |                |                      |   |                            |  |   | Phone Number: 202-564-7105 |         |                         |                  |
|   |                |                      |   |                            |  |   | FAX Number:                |         |                         |                  |
| Other Agency Official Name  |                |                      |   |                            |  |   | Branch/Mail Code:          |         |                         |                  |
| _____<br>(Signature)                      (Date)  |                |                      |   |                            |  |   | Phone Number:              |         |                         |                  |
|   |                |                      |   |                            |  |   | FAX Number:                |         |                         |                  |
| Contracting Official Name   Michael Gilham  |                |                      |   |                            |  |   | Branch/Mail Code:          |         |                         |                  |
| _____<br>(Signature)                      (Date)  |                |                      |   |                            |  |   | Phone Number: 202-564-6090 |         |                         |                  |
|   |                |                      |   |                            |  |   | FAX Number:                |         |                         |                  |

**STATEMENT OF WORK**  
**Contract EP-W-15-006, Work Assignment ERG-1-1**

1. **Title:** National CAA Investigations Enforcement Support Initiative
2. **Period of Performance:** Effective Date through April 30, 2018
3. **Work Assignment Manager (WAM) and Alternate WAM:**
  - WAM: Sounjay K Gairola  
U.S. Environmental Protection Agency (Mail Code: 2242-A)  
1200 Pennsylvania Ave, NW  
William Jefferson Clinton South, Room 1117A  
Washington, DC 20460  
Phone: (202) 564-4003  
Fax: (202) 564-0068
  - Alternate WAM: Shaun Burke  
U.S. Environmental Protection Agency (Mail Code: 2242-A)  
1200 Pennsylvania Ave, NW  
William Jefferson Clinton South, Room 2119B  
Washington, DC 20460  
Phone: (202) 564-1039  
Fax: (202) 564-0068

**BACKGROUND**

The U.S. Environmental Protection Agency (EPA) Air Enforcement Division (AED) in the Office of Civil Enforcement (OCE) has been conducting investigations of various priority industrial sectors of concern. These investigations have been focused on determining the present and historic compliance of these priority sectors with applicable Clean Air Act (CAA) requirements. Applicable requirements include Prevention of Significant Deterioration (PSD)/New Source Review (NSR), as well as New Source Performance Standards (NSPS), National Emissions Standards for Hazardous Air Pollutants (NESHAPS), Best Achievable Control Technology (BACT), Maximum Achievable Control Technology (MACT), and others. EPA has collected information from multiple sources to enable it to assess compliance and pursue enforcement as appropriate. This Work Assignment (WA) will facilitate EPA's enforcement efforts for the above requirements in various priority industrial sectors of concern.

EPA estimates that the support described in this WA will encompass detailed analyses of no more than 200 facilities owned by approximately 100 companies which are in no more than 30 priority industrial sectors of concern throughout the United States (EPA Region 1 through Region 10). EPA has already initiated activities for some of these sectors and facilities. Activities for other sectors and facilities have not yet been initiated as these sectors and facilities have not yet been determined. Because these activities are ongoing for several of the sectors and facilities, not all of the activities identified in this Statement of Work (SOW) will be required for each of the 30 sectors or 100 companies. The WAM will issue a technical direction (TD) when the sectors, facilities, and/or companies are identified. If additional new sectors, facilities, and/or companies are identified at a later date, then TD will be issued to replace one sector, company, and/or facility with another such that no more than 200 facilities and no more than 100 companies in no more than 30 priority industrial sectors will be worked on by the Contractor at any given time. Because of the confidential nature of the investigations, the names of the facilities are not being provided in this SOW.

This WA is continuation of work under prior WA ERG-0-1 (and possibly other previous WAs). The Contractor shall not provide any duplication of effort of work already completed from any prior WA and/or from any prior contracts. Furthermore, in no case shall the Contractor duplicate work that has been performed by EPA or other personnel.

### **PURPOSE AND OBJECTIVE**

The purpose of this WA is to support EPA with case development activities related to OCE's national PSD/NSR, NSPS, NESHAPS, BACT, MACT investigations, and other CAA requirements. Over the past several years, OCE has investigated several companies in a variety of sectors to evaluate compliance with these CAA requirements. The Contractor shall support EPA in continuing ongoing investigations as well as with new investigations. This support shall include administrative activities such as file scanning and indexing; identifying information labeled as confidential business information; and cataloguing, indexing, filing, and managing the documents/information received via information collection requests (ICR). This support shall also include technical evaluation of data provided by companies being investigated to identify process modifications that may have triggered CAA requirements. The types of data to be evaluated include emissions data, process data, and information on process modifications (including requests for expenditures and engineering studies). The Contractor shall review the data and information to identify process modifications that may have triggered CAA requirements, and estimate emissions changes associated with these process changes. The Contractor shall provide a complete set of documentation for each process modification that may have resulted in emissions increases triggering regulatory requirements. The Contractor shall also provide financial and economic analyses to assess the financial benefits to the facilities of noncompliance and the potential ability of these facilities to install control technologies and pay penalties. Finally, the Contractor shall provide training support in these aspects of the CAA as well as the industrial sectors being evaluated.

**CONTRACT SOW REFERENCE:** Task Areas A & B (all tasks); C.1 & 2; D.3 & 4; E.

### **SCOPE OF WORK - TASKS TO BE PERFORMED BY THE CONTRACTOR**

Under this WA, the Contractor shall provide administrative and technical support for case development, handle any documentation and evidence related to the facilities under investigation, and provide expert technical assistance for the analysis of all evidence. Support shall be required by AED at EPA headquarters and EPA Regions 1 through 10.

It is important to note that the Contractor does not make compliance and enforcement determinations. All the tasks described in this SOW shall provide information and support to EPA in making appropriate final enforcement and compliance determinations and initiating any appropriate enforcement actions. While performing the tasks under this WA, contractor personnel shall clearly identify themselves to all other parties and direct any questions regarding any compliance status to the EPA. The Contractor shall provide a conflict of interest (COI) certification before initiating work on each technical direction issued.

### **Technical Direction**

The WAM and Alternate WAM (AWAM) are authorized to provide technical direction which clarifies the SOW set forth herein. Other than the designated WAM/AWAM, only the Contracting Officer's Representative (COR) and the Contracting Officer (CO) are authorized to give technical direction.

Technical direction will be issued in writing or confirmed in writing, by the WAM/AWAM within five calendar days after verbal issuance. The WAM will forward a copy of the technical direction

memorandum to the CO and a copy to the COR. If the Contractor has not received written confirmation within five calendar days of verbal issuance, the Contractor shall so notify the COR and CO.

Technical direction must be within the contract and the WA statement of work. Technical direction includes:

- (1) Direction to the Contractor which assists the Contractor in accomplishing the SOW, and
- (2) Comments on, and approval of, reports and other deliverables.

The CO is the only person authorized to make changes to this WA. Any changes shall be approved by the CO in writing, as an amendment to this WA and/or a modification to the contract.

### **Task 1. Management and Reporting**

The Contractor shall submit a work plan and cost estimate identifying budgets and schedules for each individual task in the SOW. Each month, the Contractor shall submit activity to summarize work performed during the previous month, itemized costs incurred, and expected costs for the next month. The Contractor shall itemize costs by task.

### **Task 2. Sector Data Analysis**

The Contractor shall support EPA as directed in TD by researching and compiling data on production, emissions, and pollution controls for the various priority industrial sectors of interest to EPA. When the agency identifies the priority industrial sectors for more detailed analysis, the Contractor shall support EPA – as directed via TDs – by researching and compiling data on production, emissions, and pollution controls at a sector level, and for specific companies and facilities. The Contractor shall evaluate publicly available information such as EPA databases (e.g., AIRS and TRI), EPA reports (e.g., industry sector notebooks), trade journals, permits, and other technical literature as necessary and appropriate.

### **Task 3. Company Data Analysis**

The Contractor shall provide technical assistance to AED in the investigation of approximately 200 facilities. The WAM will issue TD identifying the companies in order for the Contractor to initiate the investigations.

- A. Information Collection and Analysis: The Contractor shall review information collected for the 200 facilities identified by the WAM and identify additional information, if any, that may be necessary to complete the compliance analyses. The Contractor shall support EPA as directed in TD by providing analyses summarizing permit history, emissions estimates, and control technology reviews. The Contractor shall provide preliminary investigation support prior to agency issuance of CAA Section 114 and Section 208 ICRs, as well as evaluation and analysis support of CAA Section 114 and Section 208 responses received from various companies. The Contractor shall support EPA in the collection of other additional information. It is estimated that no more than 500,000 pages of information collection and analysis will be required for this effort. This information shall be collected from companies, states, and/or EPA Regional offices. The information collection effort will proceed as follows:
  1. The EPA WAM will contact the EPA Regions to inform them about this project, to notify them of the intent to collect information, and to request their participation in the project.



The WAM will inform the Regions that the Contractor will contact them to request and collect the information relevant to the facilities of concern.

2. After contacting each Region, the WAM will provide the names of the regional contacts to the Contractor.
  3. The Contractor shall contact the regional contacts within one week of receiving notice from the WAM and determine the following:
    - a. Location of the additional information;
    - b. Amount of documentation available at each location;
    - c. In what format the information is available (e.g., electronic form, hard copy, or a combination); and,
    - d. How and when the information can be collected.
  4. Within three days of completing subtask A.3, the Contractor shall inform the WAM in writing of the answers corresponding to items a - d.
  5. Information may be collected through the mail, electronically, or may require travel or may require travel of up to twelve trips to EPA Regions by a team of no more than two persons for a maximum of four days of travel per trip as stated on page eight (“anticipated travel requirements”). The WAM will issue technical directions (TD) to clarify the dates and locations to collect the information.
- B. The Contractor shall provide expert assistance to EPA in analyzing evidence regarding changes/modifications made to the estimated 200 facilities as necessary. The Contractor shall also provide expert assistance to EPA in determining the impacts on a facility’s emissions and compliance with PSD/NSR, NSPS, NESHAPS, MACT, BACT, and other requirements (e.g., EPA certification requirements for vehicles and engines, EPA national standards for fuels and fuel additives). This support may require travel of up to nine trips to EPA Regions by a team of no more than three persons for a maximum of four days of travel per trip, and will be requested through TD to clarify the dates and locations within these regions.
- C. The Contractor may be required to conduct, or support EPA in conducting, inspections of these facilities. All proposed staff carrying out field inspections must have received three types of training to meet the requirements of EPA Order 3500.1.: a) Basic Inspector Training, b) Health and Safety Training, and c) Program Specific Training; and shall have the proper authorization/credentials issued by EPA prior to entry of the facilities. It is anticipated that 12 inspections will be conducted by a team of no more than three persons for a maximum of four days of travel per inspection. The WAM will issue TD to provide clarification of the dates and the facility sites to conduct these inspections (see “anticipated travel requirements”). These inspections may include collection of samples for environmental measurement. In such event, proper EPA QA/QC procedures shall be followed, such as a Quality Assurance Project plan and sampling plan. The need for sample collection and analysis will be identified by the WAM through technical direction.

- D. The Contractor shall provide expert assistance in the development of technical questions relevant to its findings for EPA interviews of company and plant personnel. This may require contractor personnel to participate in meetings and/or conference calls.
- E. The Contractor shall provide expert assistance in reviewing documents, files, and attending meetings concerning the implementation of past, present, and future consent decrees.
- F. The Contractor shall provide expert assistance in the economic and financial analysis support and economic benefit calculations of non-compliance.

#### **Task 4. Energy Extraction Initiative Development and Case Support**

An unprecedented acceleration of oil and gas leasing and development has led to a significant rise in the level of air emissions throughout the country, specifically in the intermountain West and water discharges throughout Appalachia in the east. Drilling activities have led to concerns about air quality and the safety of drinking water supplies in various parts of the country. To address these emerging problems, EPA developed the national enforcement Energy Extraction Initiative (EEI) to assure that energy extraction activities are complying with federal requirements to prevent pollution of our air, water, and land.

In conjunction with various EPA offices, the OCE is leading the EEI. Task 4 of this WA supports OCE's compliance assurance activities with respect to oil and gas energy companies and service providers by providing an understanding of industry practices, targeting, investigation, and analytical support. Such support shall include compiling industry data, supporting enforcement, and developing communications. This task will also support agency efforts to develop litigation against oil and gas energy companies and service providers that we have determined are in violation of the law and will include support for settlement discussions and/or litigation. The primary purpose of Task 4 is to assist OCE in collecting and assessing information/evidence related to oil and gas extraction, gathering, and/or transmission operations in the United States with respect to those laws and regulations implemented by EPA.

The Contractor shall provide technical assistance to OCE in the investigation of oil and gas extraction, gathering and/or transmission operations. The majority of investigations will be conducted by information provided to the contractor and a few of the investigations may be conducted as on-site inspections. The WAM will issue TDs identifying the facilities for the Contractor and will outline the type of analysis required. The Contractor shall provide a COI certification before initiating work on any of the facilities.

- A. Information Collection: The Contractor shall review information collected for the sites identified by the WAM and identify additional information, if any, which may be necessary to complete the compliance analyses. The Contractor shall assist EPA in the collection of additional information.
- B. The Contractor shall provide expert assistance to EPA in analyzing information regarding the operation of the sites under investigation. The assistance may include analyzing process and production methods, waste streams generated by the processes, disposal methods, surface impoundments, waste discharges, and other items identified by the WAM. The Contractor shall also provide expert assistance to EPA in analyzing the regulatory status of oil and gas extraction, gathering, and/or transmission operations with respect to EPA and state regulations and/or guidance.
- C. The Contractor may be required to assist EPA in conducting inspections of oil and gas extraction, gathering, and/or transmission operations. The inspections will focus on air, water, and waste

impacts. The Contractor may be required to conduct sampling during these inspections and to analyze the samples to determine their constituents. The analysis would include determining the physical, chemical (i.e., organic and inorganic constituents), and radiological components of the sample. Analytical methods would be dictated by the applicable regulation (i.e., the method of analysis for benzene may be different per media and regulations per the CWA, CAA, or RCRA). The WAM will issue TDs to provide clarification of the dates and the facility sites to conduct these inspections. For estimating purposes, assume one trip to Region 4 for two people for one week.

- D. **Technical Consultation:** At the direction of EPA, the Contractor shall assist the agency with technical consultation regarding the oil and gas industry. Such assistance may be requested in general or on a case-by-case basis. General assistance may include scientific/technical research and analysis, industry trend analysis, etc. Case-by-case assistance may include site-specific technical analysis, corporate, and financial analysis, etc.
- E. **Targeting Assistance:** At the direction of EPA, the Contractor shall assist the agency with targeting oil and gas energy companies and service providers for investigatory purposes. Targeting may be based on a wide array of data and/or prioritized factors including geographic distribution, financial analysis, corporate structures, compliance history, citizen complaints, etc.

#### **Task 5. Administrative Support**

The Contractor shall provide administrative support to EPA Headquarters and Regional Offices. This may include bates stamping, indexing, photocopying, and/or filing of documents relevant to an investigation; creation and/or modification of privilege logs; and document formatting and processing. It is anticipated that up to six trips with two to four junior staff for up to three days will be necessary; trip durations will be clarified by TD.

#### **Task 6. Training Support**

As requested through technical direction from the WAM, the Contractor shall provide training support related to all CAA statutes, regulations, and requirements (e.g. NESHAPS, PSD/NSR, NSPS, BACT, MACT, and others). This training may also include industrial sector-specific process training. The Contractor shall be responsible for content development and training materials preparation and delivery, and may be asked to provide logistical support (e.g., scheduling training, course registration, arranging training locations, audio/visual equipment). Upon receipt of TD, the Contractor shall prepare an outline of the training course content. After EPA approval of the outline, the Contractor shall prepare the draft training presentation and materials for EPA review, and incorporate EPA comments to prepare the draft training presentation and materials. It is anticipated that up to four trips with one to two staff for up to two days will be necessary; trip durations will be clarified by TD.

#### **Task 7. National and Regional Meeting and Conference Support and Facilitation**

Under this task, the Contractor shall provide any instructional and/or logistical support needed in preparation for a national or regional meeting for EPA and state enforcement and inspection staff on enforcement-related and technical issues (in the classroom and, as appropriate, in the field), including any logistical or instructional support related to the meeting or training.

A. Logistical support. Provide logistical support related to meetings and training to include registration, contracting with hotels to rent conference facilities, light refreshments (for EPA staff on travel status only), and audiovisual equipment; and, as appropriate, taking notes; facilitating hands-on training (e.g. visits to the field); developing and providing agendas, presentation or course materials, and handouts;

furnishing speakers, instructors, and facilitators; and developing and providing event summaries and evaluation forms. Light refreshment arrangements for the national meetings shall only be provided to EPA employees on travel status.

B. Instructional support. Provide instructional support related to workshops and training to include developing and providing agendas, course materials, presentation materials, handouts (e.g. graphics, exhibits, slides, model inspector checklists), furnishing instructors and speakers, and developing and providing workshop and training course summaries.

### **Task 8. Consent Decree Implementation**

This WA includes tasks required to monitor the progress that companies make in implementing their consent decrees. This task may also include facilities from other sectors under consent decrees.

The WAM will issue TD to identify the specific companies and facilities and the required tasks. For example, refineries subject to consent decrees are required to implement measures for controlling NO<sub>x</sub> and SO<sub>2</sub> and EPA requires support in evaluating whether the refineries are complying with the consent decree terms. EPA may require support in the following activities for refineries:

- Reviewing additive trials;
- Evaluating control technologies;
- Reviewing hydrotreater outage plans;
- Evaluating flaring incident reports;
- Reviewing heater and boiler NO<sub>x</sub> minimization plans;
- Reviewing quarterly reports summarizing progress towards implementing the requirements of the consent decrees; and
- Tracking consent decree deliverables and distributing the files to EPA personnel.

EPA may also require similar support for other industrial sectors. Specific activities will be assigned by TD.

### **DELIVERABLES REQUIRED AND SCHEDULE FOR COMPLETION OF TASKS**

Note: The nature of these investigations involves significant document collection, review, and analysis; and continued strategic planning and re-scheduling. These investigations are not like Superfund or other program investigations where a site is selected and a series of physical activities (i.e., groundwater sampling) are planned and executed. Therefore, the Deliverables and Travel sections include estimates based on past experience and current agency planning.

| <b>Task</b> | <b>Item</b>                   | <b>Due Date</b>   |
|-------------|-------------------------------|---|
| 1           | Progress Reports              | 20 <sup>th</sup> of each month, with more frequent updates as requested by the WAM through TDs.       |
| 2           | Sector Data Analysis          | Clarification of dates and specific deliverables will be provided by the WAM through TDs.             |
| 3.A         | Information Collection Review | Clarification of dates & location for information collection will be provided by the WAM through TDs. |

|     |                                       |  |
|-----|---------------------------------------|--|
| 3.B | Analysis of Evidence                  | Clarification will be provided by the WAM through TD on the specific facility to be analyzed for evidence of modifications.  |
| 3.C | Inspections                           | Up to twelve inspections, by a team of no more than four people traveling for a maximum of four days. Dates & location will be provided by the WAM through TD. Inspection plans due five days before each inspection. Draft inspection reports due 10 days after each inspection. Each final inspection report due 5 days after receiving comments from the WAM. |
| 3.C | Quality Assurance Project Plan (QAPP) | Two weeks prior to initiating any environmental measurement activities directed by the WAM.  |
| 5   | Document Processing                   | Clarification of location/site of the documents will be provided by WAM via TD. Estimate no more than 250,000 pages for overall total requirements.  |
| 5   | CD-ROMs                               | CDs containing intermediate or discrete pieces of the full document collection of a specific plant when requested by the WAM.  |
| 6   | Training Materials                    | Clarification of dates and specific deliverables will be provided by the WAM via TDs.  |

#### **ANTICIPATED TRAVEL REQUIREMENTS**

Most of the travel is projected to be primarily in the east coast area. Technical directions will be issued by the WAM within two weeks of the scheduled trip to clarify the specific travel dates and the number of persons required for the following tasks:

| <b>Task</b> | <b>Travel Destination /Purpose</b>       | <b>Details</b>   |
|-------------|--|--|
| 3.A         | Information Collection                   | No More Than 12 trips of 1 - 2 people for up to 4 days.  |
| 3.B         | Expert Technical Support to HQ & Regions | No More Than 9 trips of 1 - 3 people for up to 4 days to EPA Regions.                                  |
| 3.C         | Inspections                              | No More Than 12 inspections of 1 - 3 people for up to 4 days. Trips may be combined for efficiency.    |
| 5           | Administrative support                   | No More Than 6 trips with 2 - 4 junior staff for up to 3 days; trip durations will be specified by TD. |
| 6           | Training                                 | No More Than 4 trips of 1 - 2 persons for up to 2 days as be specified by TD.                          |

**ESTIMATED LEVEL OF EFFORT (HOURS): 20,000**

## **ADDITIONAL REPORTING REQUIREMENTS**

Upon issuance of written technical direction, the Contractor shall submit for inspection all work in progress at any time under this WA. The Contractor shall develop and maintain files supporting each task.

The Contractor shall contact the COR and/or the Contracting Officer (CO) by telephone to discuss any problems that may adversely affect the work on this WA. Within five calendar days, the Contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the COR and the CO.

## **CONTRACTOR IDENTIFICATION**

To avoid any perception that contractor personnel are EPA employees, the Contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

## **CONTROL REQUIREMENTS**

### Enforcement Sensitive Information:

The Contractor recognizes that, in performing tasks specified by this WA, contractor employees may have access to data/information, either provided by the government or first generated during contract performance, of an enforcement sensitive nature which shall not be released to the public without EPA approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil, or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel including, but not limited to, subcontractor and consultant personnel assigned to work on this WA – or with access to materials developed pursuant to such efforts – understand that this information is confidential and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling, and disposing of any such information.

### Project Employee Confidentiality Agreement

The Contractor agrees that contractor employees shall not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice (DOJ), or the Contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the Contractor under this contract, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA COR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the Contractor shall provide immediate advance notification to the EPA so that the agency can take action to prevent such disclosure. Such agreements shall be effective for the life, and for a period of five (5) years after completion, of the contract.

### Handling of Confidential Business Information (CBI)

- To the extent that the work under this contract requires access to proprietary or confidential business or financial data of other companies, and as long as such data remains proprietary or confidential, the Contractor shall protect such data from unauthorized use and disclosure.

- All files or other information identified as Confidential Business Information (CBI) shall be treated as confidential and kept in a secure area with access limited to only contractor personnel directly involved in the case or special project assignment. The contractor, subcontractor, and consultant personnel are bound by the requirements and sanctions contained in their contracts with the agency and in EPA's confidentiality regulations found at 40 CFR Part 2, Subpart B. All contractors, subcontractors, and consultants must adhere to EPA-approved security plans which describe procedures to protect CBI, and are required to sign non-disclosure agreements before gaining access to CBI.
- All official data, findings, and results of investigations and studies completed by the Contractor shall be available for EPA and DOJ internal use only. The Contractor shall not release any part of such data without the written direction of the COR.

#### Facility Inspections Credentials

Contractor employees who conduct lead inspections on behalf of the EPA under this WA must have valid EPA inspector credentials. The Contractor shall present the credentials at the time of the facility or site inspection with proper identification as the EPA contractor under this contract.

#### Quality Assurance Project Plan (QAPP)

Should the Contractor be required to conduct any environmental measurements under this WA, the Contractor shall provide the quality assurance project plan to the Quality Assurance Officer prior to initiating these activities. The plan shall be prepared in accordance with the EPA Quality Manual for Environmental Programs CIO-2105-P-01-0, May 5, 2000; and EPA Requirements for Quality Assurance Project Plans (QA/R-5 dated 3/20/01) <http://epa.gov/quality/qs-docs/r5-final.pdf>.

The Contractor shall provide a QAPP for any task that requires the analysis or evaluation of secondary data.

#### Conflict of Interest

- Organizational Conflict of Interest (OCI):

The Contractor shall warrant that, to the best of the Contractor's knowledge and belief, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest, as defined in FAR Subpart 9.5, or that the Contractor has disclosed all such relevant information.

- Notification of Conflicts of Interest Regarding Personnel:

The Contractor shall immediately notify the COR and the CO of (1) any actual or potential personal conflict of interest with regard to any of its employees working on or having access to information regarding this WA; or (2) any such conflicts concerning subcontractor employees or consultants working on, or having access to information regarding, the WA when such conflicts have been reported to the Contractor. A personal conflict of interest is defined as a relationship of an employee, subcontractor employee, or consultant with an entity that may impair the objectivity of the employee, subcontractor employee, or consultant in performing the contract work.





|   |                |                      |   |                            |  |   |                  |         |                         |                  |
|---|----------------|----------------------|---|----------------------------|--|---|------------------|---------|-------------------------|------------------|
| <b>EPA</b><br>United States Environmental Protection Agency<br>Washington, DC 20460<br><b>Work Assignment</b>   |                |                      |   |                            |  | Work Assignment Number<br>ERG-1-9   |                  |         |                         |                  |
|   |                |                      |   |                            |  | <input type="checkbox"/> Other <input type="checkbox"/> Amendment Number: |                  |         |                         |                  |
| Contract Number<br>EP-W-15-006  |                |                      | Contract Period   05/01/2015   To   04/30/2018<br>Base                      Option Period Number      1 |                            |  | Title of Work Assignment/SF Site Name<br>Records Management Support       |                  |         |                         |                  |
| Contractor<br>EASTERN RESEARCH GROUP, INC.  |                |                      |   |                            | Specify Section and paragraph of Contract SOW<br>See SOW |   |                  |         |                         |                  |
| Purpose: <input checked="" type="checkbox"/> Work Assignment <input type="checkbox"/> Work Assignment Close-Out<br><input type="checkbox"/> Work Assignment Amendment <input type="checkbox"/> Incremental Funding<br><input type="checkbox"/> Work Plan Approval |                |                      |   |                            |  | Period of Performance<br><br>From   05/01/2016   To   04/30/2018          |                  |         |                         |                  |
| Comments:<br>The purpose of this work assignment is to provide records management and filing support and contractor inspector credential support to OCE.  |                |                      |   |                            |  |   |                  |         |                         |                  |
| <input type="checkbox"/> Superfund                      Accounting and Appropriations Data <input checked="" type="checkbox"/> Non-Superfund  |                |                      |   |                            |  |   |                  |         |                         |                  |
| SFO <input type="checkbox"/> Note: To report additional accounting and appropriations date use EPA Form 1900-69A.<br>(Max 2)  |                |                      |   |                            |  |   |                  |         |                         |                  |
| Line  | DCN<br>(Max 6) | Budget/FY<br>(Max 4) | Appropriation<br>Code (Max 6)   | Budget Org/Code<br>(Max 7) | Program Element<br>(Max 9)                               | Object Class<br>(Max 4)   | Amount (Dollars) | (Cents) | Site/Project<br>(Max 8) | Cost<br>Org/Code |
| 1   |                |                      |   |                            |  |   |                  |         |                         |                  |
| 2   |                |                      |   |                            |  |   |                  |         |                         |                  |
| 3   |                |                      |   |                            |  |   |                  |         |                         |                  |
| 4   |                |                      |   |                            |  |   |                  |         |                         |                  |
| 5   |                |                      |   |                            |  |   |                  |         |                         |                  |
| Authorized Work Assignment Ceiling  |                |                      |   |                            |  |   |                  |         |                         |                  |
| Contract Period:  |                | Cost/Fee:            |   |                            |  | LOE: 0  |                  |         |                         |                  |
| 05/01/2015 To 04/30/2018  |                |                      |   |                            |  |   |                  |         |                         |                  |
| This Action:  |                |                      |   |                            |  | 4,480   |                  |         |                         |                  |
|   |                |                      |   |                            |  |   |                  |         |                         |                  |
| Total:  |                |                      |   |                            |  | 4,480   |                  |         |                         |                  |
| Work Plan / Cost Estimate Approvals   |                |                      |   |                            |  |   |                  |         |                         |                  |
| Contractor WP Dated:  |                |                      |   | Cost/Fee                   |  | LOE:  |                  |         |                         |                  |
| Cumulative Approved:  |                |                      |   | Cost/Fee                   |  | LOE:  |                  |         |                         |                  |
| Work Assignment Manager Name    Julia Bunnell   |                |                      |   |                            |  | Branch/Mail Code:   |                  |         |                         |                  |
| <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: center;">(Signature)                      (Date)</div>   |                |                      |   |                            |  | Phone Number: 202-564-1317  |                  |         |                         |                  |
|   |                |                      |   |                            |  | FAX Number:   |                  |         |                         |                  |
| Project Officer Name    Rose Green  |                |                      |   |                            |  | Branch/Mail Code:   |                  |         |                         |                  |
| <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: center;">(Signature)                      (Date)</div>   |                |                      |   |                            |  | Phone Number: 202-564-7105  |                  |         |                         |                  |
|   |                |                      |   |                            |  | FAX Number:   |                  |         |                         |                  |
| Other Agency Official Name  |                |                      |   |                            |  | Branch/Mail Code:   |                  |         |                         |                  |
| <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: center;">(Signature)                      (Date)</div>   |                |                      |   |                            |  | Phone Number:   |                  |         |                         |                  |
|   |                |                      |   |                            |  | FAX Number:   |                  |         |                         |                  |
| Contracting Official Name    Michael Gilham   |                |                      |   |                            |  | Branch/Mail Code:   |                  |         |                         |                  |
| <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: center;">(Signature)                      (Date)</div>   |                |                      |   |                            |  | Phone Number: 202-564-6090  |                  |         |                         |                  |
|   |                |                      |   |                            |  | FAX Number:   |                  |         |                         |                  |

**WORK ASSIGNMENT (WA) STATEMENT OF WORK (SOW)**  
**CONTRACT EP-W-15-006, WA ERG-1-9**

1. TITLE: Records Management & Filing Support
2. PERIOD OF PERFORMANCE: Date of issue to 04/30/18
3. EPA Work Assignment Manager (WAM)  
Name: Julia Bunnell  
Address: 1200 Pennsylvania Ave, NW, Washington DC 20460  
Mail Code: 2241A  
Telephone No.: 202-564-1317  
Email: bunnell.julia@epa.gov

EPA Alternate Work Assignment Manager (WAM)  
Name: Rose Green  
Address: 1200 Pennsylvania Ave, NW, Washington DC 20460  
Mail Code: 2248A  
Telephone No.: 202-564-7105  
Email: green.rose@epa.gov

4. BACKGROUND

This Work Assignment is a continuation of WA ERG-0-8 under contract EP-W-15-006. There shall be no duplication of effort under this WA.

The Office of Civil Enforcement (OCE) of the U.S. Environmental Protection Agency (EPA) is charged with promoting and achieving compliance with federal environmental laws and regulations. OCE conducts a wide range of enforcement and compliance-related activities under the environmental statutes which EPA administers.

To initiate and carry out the full range of enforcement actions against noncomplying sources, OCE collects and compiles large amounts of information from outside parties. In addition, OCE is responsible for providing information to the public under the Freedom of Information Act (FOIA) to ensure appropriate public participation for certain decision-making activities under the Administrative Procedures Act (APA), and for responding to other requests and disseminating information and/or providing guidance.

5. PURPOSE AND OBJECTIVE

The purpose of this WA is to provide administrative support to OCE in the following –

- 1) Work with OCE personnel in determining what documents are records and the proper records schedule to follow, maintaining and updating an effective filing and records management system, and assisting with other document management issues such as archiving and, when necessary, retrieving documents from archives. The contractor shall be knowledgeable in working with legal case files in a variety of statutes.
- 2) Work with OCE and, when required, the Office of Compliance (OC) personnel to get all the proper paperwork submitted to obtain inspector credentials for contractor inspectors to be able to perform inspections for EPA. The Contractor shall also make sure all annual training is completed and submit that information as well.

6. CONTRACT SOW REFERENCE: Task Areas C and E

## 7. SCOPE OF WORK

The Contractor shall assist in providing support for maintaining OCE records and files in accordance with the EPA Records Management Policies, guidelines, and the agency file plan as well as the Federal Records Center's (FRC) standards as provided by the Records Management Officer and the National Archives and Records Administration (NARA). Roles and responsibilities for maintenance of records include requirements for transmittal, distribution, retention, protection, preservation, traceability, disposition, and retrieval. The Contractor shall be responsible for logging information for all the records that OCE destroys, archives, or disposes of into an electronic database – creating a permanent inventory record. The Contractor shall also be responsible for identifying and retrieving documents from the National Records Center should the need arise. The Contractor shall be knowledgeable of EPA records schedules and ensure that it is following the most current and relevant schedule. The Contractor shall be knowledgeable in working with legal case files under a variety of statutes.

## 8. TASKS TO BE PERFORMED BY THE CONTRACTOR

### TASK 1 – RECORDS MANAGEMENT

Meet with and assist EPA personnel in preparing legal and other categories of records for archiving or disposal. Train EPA personnel on procedures for compiling folders, boxing records, completing inventory forms for boxes, and other tasks required for records management. This task may include picking up boxes of records to process, reviewing records for duplicates, creating a box list, boxing records, writing the transfer number on archive boxes, assisting in the development of an emergency plan for vital records, assigning agency records schedules to the documents, and logging the relevant records information into the required databases.

Enter all pertinent information about the records into the OCE records management database. After entering the relevant information into the OCE database, the Contractor shall then print out and attach the database created bar coded label to each file folder containing records for archive or onsite storage.

Complete EPA records management archiving forms via the National Archives Records Centers Information System (ARCIS) database. Provide the ARCIS supplied transfer number and the number of boxes to the EPA Records Liaison. After approval is received via ARCIS, the Contractor shall complete the form for EPA Facilities, coordinate with the EPA Records Officer for approval, and work with Facilities to pick up and transfer the boxes to the FRC.

Search the databases to locate OCE records to confirm that they have been disposed of or shredded or have been archived.

Assist staff with FOIA request and researching related records via ARCIS, OCE's Records Database, Document Center, and retrieval of records from the Federal Records Center. Retrieval of records are arranged through the ARCIS database.

Convert paper records to storage on electronic media or other agency designated data systems. Shred sensitive documents as needed.

Convert/merge provided historic data base information to make it compatible with the system(s) in use by the agency.

## TASK 2 – INSPECTOR CREDENTIAL ADMINISTRATION

The Contractor shall support all tasks associated with the issuance of inspector credentials. This includes activities such as –

- Registering for iBoard/CDX, eQIP, and any other required registrations.
- Completing the background investigation interviews.
- Obtaining finger prints and passport photos.
- Obtaining access to online training resources such as NETI and the Inspector Wiki site.
- Completing and submitting training paperwork and supporting documents reflecting completion of 3500.1 training requirements.
- Tracking inspector 3500.1 annual refresher training activities.
- Maintaining credential status and annual refresher training records to respond to EPA questions, and in support of the monthly progress report.
- Coordinating with EPA as needed for safeguard requirements such as Acknowledgement of Receipt, annual inventory of issued credentials, and reporting stolen or missing credentials.

\* The Contractor shall not perform training activities under this WA.

9. ANTICIPATED / ESTIMATED TRAVEL REQUIREMENTS: No travel is anticipated.

10. ESTIMATED LEVEL OF EFFORT: 4,480 hours.

## 11. SCHEDULE FOR DELIVERABLES

The Contractor shall keep the OCE records management database updated in real time.

## 12. CONTROL REQUIREMENTS

The Contractor shall comply with the Confidential Business Information (CBI) requirements incorporated in the contract. The Contractor shall ensure that it follows the appropriate safeguards when handling confidential or enforcement sensitive information. CBI clearances shall be maintained by all contractors that may handle sensitive materials. CBI may include trade secrets, proprietary, commercial, financial, and other information that is afforded protection from disclosure under certain circumstances as described in the Trade Secrets Act, Federal Acquisition Regulation, and Office of Management and Budget Circular A-130. Privacy Act information applies to information about individuals. Enforcement sensitive information includes privileged information that, if disclosed, would result in disruption to the legal process, or would reveal enforcement techniques. Controlled Correspondence includes material prepared in response to the information request for the Assistant Administrator or the EPA Administrator's signatures.